

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-1664

ARASH MIRSHOKRAEI,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A95-535-498; A95-536-000)

Submitted: November 18, 2005 Decided: December 12, 2005

Before WILLIAMS, GREGORY, and SHEDD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Aria Shariati, SHARIATI & ASSOCIATES, Washington, D.C., for Petitioner. Frank D. Whitney, United States Attorney, Anne M. Hayes, Steve R. Matheny, Assistant United States Attorneys, Raleigh, North Carolina, for Respondent.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Arash Mirshokraei, a citizen and native of Iran, petitions for review of the Board of Immigration Appeals' ("Board") order dismissing the appeal from the immigration judge's order denying his application for asylum, withholding from removal and withholding under the Convention Against Torture. We deny the petition for review.

At the merits hearing, the immigration judge sustained the Government's objection and refused to accept certain documents Mirshokraei and his wife submitted in support of their applications for relief because the translations were not in compliance with 8 C.F.R. § 1003.33 (2005). The Board upheld this ruling and we find no error.

There is no support for the argument that the United States Citizenship and Immigration Service had a pattern and practice of accepting documents at an immigration hearing that were not translated pursuant to § 1003.33. We further find the Government did not waive this objection.

Accordingly, we deny the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED